

**Notice of Allowability**

Application No.

09/592,405

Examiner

Annan Q. Shang

Applicant(s)

ADDINGTON ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 12/06/06.
2. ☒ The allowed claim(s) is/are 26-33 and 42-50 and renumbered as 1-17 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 26-33 and 42-50 are allowed.
2. The following is an examiner's statement of reasons for allowance: With respect to independent claims 26, 31, 42, 44 and 47, the instant invention is directed to a method in a subscriber television system, for determining a service group associated with the decoder, a system controller for causing to be stored and updated a database of a service group associated for a plurality of decoders of the subscriber TV system, a system controller for determining service group associations of a plurality of modulators in a subscriber TV system and a method of using at least one of a set audit designated decoders at specific locations within a subscriber TV system to define a service group. The relevant prior art of records, such as **Borseth (7,042,526)** discloses worldwide TV tuning system with country code or regional based tuning, including updating of frequency table. **Mattis et al (6,289,358)** disclose delivering alternate versions of objects from an object cache. **Agraharam et al (6,035,339)** disclose network information delivery system for delivering information based on end user terminal requirements. **Ozkan et al (6,366,326)** disclose system for acquiring, processing and storing video data and program guides transmitted in different coding formats. **Jovanovich et al (5,940,509)** disclose method and apparatus for controlling country specific frequency allocation. However, neither **Borseth, Mattis, Agraharam, Ozkan nor Jovanovich** and any of the cited references teach or suggest, alone or in combination the feature of "comparing the determined service group for decoder with a

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previously stored service group and in response to a determination that the determined service group for the decoder is different than the previously stored service group, uploading the determined service group for the decoder to a system controller at a headend” as recited in combination with other features of independent claim 26.

With respect to independent claim 31, neither **Borseth, Mattis, Agraharam, Ozkan nor Jovanovich** and any of the cited references teach or suggest, alone or in combination the feature of “...receiving a message, at the headend, from the least one decoder, the message including the service group associated with the at least one decoder, and recording, at the headend, the relationship of the at least one decoder to the associated service group” as recited in combination with other features of independent claim 31.

With respect to independent claim 42, neither **Borseth, Mattis, Agraharam, Ozkan nor Jovanovich** and any of the cited references teach or suggest, alone or in combination the feature of “...receiving a message from at least one of the plurality of decoders, the message including the service group associated with at least one of the plurality of decoders and means for causing the updating of the database responsive to the service group associated with the at least one of the plurality of decoders...” as recited in combination with other features of independent claim 42.

With respect to independent claim 44, neither **Borseth, Mattis, Agraharam, Ozkan nor Jovanovich** and any of the cited references teach or suggest, alone or in combination the feature of “...receiving a message from at least one of the set of audit designated decoders, the message including the related transport stream identities

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determined by the at least one of the set of audit designated decoders based on tuning the frequencies related to each of the modulators, locating a valid transport stream related to the tuned frequency, retrieving a related transport stream identification from the transport stream and means for causing the updating of the database responsive to the related transport stream identities being associated with at least one of the set of audit designated decoders" as recited in combination with other features of independent claim 44.

With respect to independent claim 47, neither **Borseth, Mattis, Agraharam, Ozkan nor Jovanovich** and any of the cited references teach or suggest, alone or in combination the feature of "...transmitting to the headend, by the at least one of the set of audit designated decoders, the retrieved associated transport stream identity for the tuned frequency associated with the at least one of the set of audit designated decoders, and defining as the service group, a subset of modulators associated with the transport stream identity of the tuned frequency with valid signal of the at least one of the set of audit designated decoders and associated with the specific location of the at least on the set of audit designated decoders" as recited in combination with other features of independent claim 47.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Craig et al (6,513,112) disclose system and apparatus for administration of configuration information using a catalog server object to describe and manage requested configuration information to be stored in a table.

Kenner et al (6,421,726) disclose system and method for selection and retrieval of diverse types of video data on a computer network.

Himmel (6,167,441) discloses customization of web pages based on requestor type.

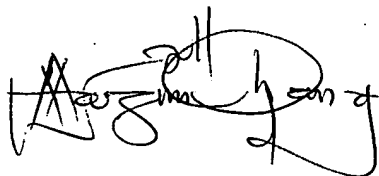
Kalra et al (5,953,506) disclose method and apparatus that provides a scalable media delivery system.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at 866-217-9197 (toll-free). If you would like assistance from a **USPTO Customer Service Representative** or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Annan Q. Shang', with a stylized, cursive script.

**Annan Q. Shang**